

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

WILLIAM S. MCLAURINE, II	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	3:06-cv-1014-MEF
CITY OF AUBURN, ALABAMA,	)	
unnamed police DISPATCHER	)	
deputy director BENJAMIN WALKER,	)	
Officer LAVARRO BEAN,	)	
Lieutenant MATTHEWS, Lieutenant	)	
KEITH HOWELL, Chief FRANK	)	
DEGRAFFENRIED, DAVID WATKINS,	)	
director "BILL" JAMES, and city	)	
manager CHARLES DUGGAN,	)	
	)	
Defendants.	)	

**DEFENDANTS' OBJECTIONS TO PLAINTIFF'S MOTIONS**

**COME NOW** the Defendants and herewith object to both Plaintiff's Motion for Compulsory Discovery and Second Motion to Extend Deadline for Amendment. In support of this Motion, Defendants show unto the Court the following:

1. Following receipt of Plaintiff's Motion to Extend Deadline for Amendment, The Defendants' attorney wrote Plaintiff and pointed out that no discovery requests had been propounded. (See, Exhibit "A"). Plaintiff replied with a letter received by the attorney for the Defendants February 23, 2007 stating he needed the name of the police dispatcher. (See, Exhibit "B"). Even though it was clear Plaintiff had not complied with the appropriate discovery procedures, in an effort to move this case along, the attorney for the Defendants, on February 27, 2007 wrote Plaintiff providing him the requested names. (See, Exhibit "C").

2. Although Plaintiff did not propound discovery to Defendants he has now been forwarded the requested information and there are no grounds to grant either of Plaintiff's proposed Motions. Additionally, Defendants request Plaintiff be required to comply with the Rules of Federal Procedure as its relates to discovery and discovery requests.

/s/ *Randall Morgan*

RANDALL MORGAN [MOR037]

Attorney for Defendants City of Auburn,  
Alabama, Benjamin Walker, Officer Lavarro  
Bean, Lieutenant Matthews, Lieutenant  
Keith Howell, Chief Frank DeGraffenried,  
David Watkins, "Bill" James, and Charles  
Duggan

OF COUNSEL:

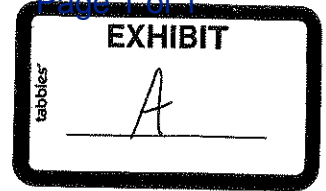
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
P.O. Box 116  
Montgomery, Alabama 36101-0116  
(334) 834-7600 - Telephone  
(334) 263-5969 - Facsimile

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 2<sup>nd</sup> day of March, 2007, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to the following via email:

William S. McLaurine, II  
222 Tichenor Avenue, Apt. #4  
Auburn, Alabama 36830

/s/ *Randall Morgan*  
OF COUNSEL



Randall Morgan  
Facsimile: 334-263-5969  
rmorgan@hillhillcarter.com

Hill, Hill, Carter,  
Franco, Cole & Black, P.C.  
*Attorneys at Law*

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February 14, 2007

William S. McLaurine, II  
222 Tichenor Avenue, Apt. #4  
Auburn, Alabama 36830

**RE: City of Auburn v. William S. McLaurine, II**

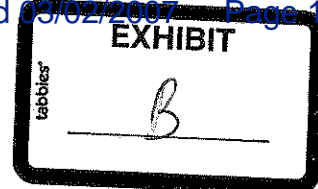
Dear Mr. McLaurine:

I received your Motion to Extend Deadline for Amendment. I have not received any discovery requests from you for the "unnamed dispatcher". If you have propounded any discovery, please provide me copies as quickly as possible so I can timely respond.

Sincerely

*Randall Morgan*

Randall Morgan  
RM/pbf



TO: Randall Morgan  
Hill, Hill, Carter, Franco, Cole & Black, P.C.  
P.O.Box 116  
Montgomery, Alabama 36101-0116

FROM: William McLaurine  
222 Tichenor Avenue #4  
Auburn, AL 36830  
(334) 524-2175  
wsmpc@hotmail.com

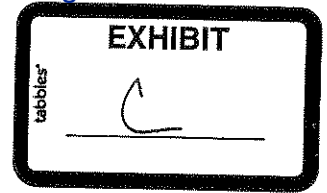
SUBJECT: Request for information and/or Discovery

DATE: February 22, 2007

Your recent letter indicated that you appear to have some doubt as to whether I am requesting (or to use your word, propounding) discovery. I believe the recent motion made to extend the deadline for amendment was clear. I am in need of the name of the police dispatcher who dispatched officer Bean on the night and/or morning of my arrest in 2004.

The dispatcher is know to be male.

Your client(s), particularly the City of Auburn, and probably Benjamin Walker, should have this information. If I do not receive the name of this individual by February 27, 2007 I will feel compelled to file another motion for extension as well as motion for compulsory discovery.



Randall Morgan  
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February 27, 2007

William S. McLaurine, II  
222 Tichenor Avenue, Apt. #4  
Auburn, Alabama 36830

**RE: City of Auburn v. William S. McLaurine, II**

Dear Mr. McLaurine:

There is a specific procedure for discovery requests. Although you did not follow it, in an effort to cooperate and move this case along, I will furnish you the names of the communications personnel on duty on November 27, 2004. I am advised they were Adam Brown and Jacob Odom.

Also, I would like to schedule your deposition for March 21<sup>st</sup> in Auburn. If that date is not available, I can do it on either March 23<sup>rd</sup> or March 20<sup>th</sup>. Please confirm your availability. I suggest we start at 10:00 a.m. I propose to conduct the deposition at the Lee County Justice Center if that is agreeable. I look forward to hearing from you.

Sincerely

*Randall Morgan*

Randall Morgan  
RM/pbf